

Application No.10/796,969

Docket No.:021200.0101PTUS

Applicants respectfully disagree with this statement and have properly elected Group I, Species II and Group II, Species II.

The specification and figures contain adequate written description to support the use of a latch mechanism 44 as shown in Fig. 9 with the center louver support member 82 as shown in Figs. 15 and 16. Both the latch mechanism 44 and the center louver support members 82 may be used with the common element of the connector member 24 as shown in Fig. 1 and elsewhere in the specification.

As indicated by the Examiner Paragraph 0065 explicitly describes the latch mechanism 44 as shown in Fig. 9. Specifically, "Fig. 9 is a cut-away front view of a latch mechanism 44 that utilizes one of the corner connection members 24 as a latch-supporting guide. The Fig. 9 example shows the latch mechanism 44 at the lower right of the Fig. 1 example... This is not limiting, as the Fig. 9 latch can be formed at any one or more corners of the frame 12, utilizing any of the corner connection members 24." See paragraph 0065 (emphasis added).

Therefore, the latch mechanism 44 may be used with the corner members 24 as shown in Fig. 1 and throughout the specification.

Paragraph 0079 describes an embodiment of the invention with a center louver support member 82 as shown in Figs. 15 and 16. The specification states "[t]he unitary perimeter frame 80 has the same construction as the unitary perimeter frame 12 of Fig. 1, comprising ... assembled into a unitary structure by *four corner members 24*, as described above." See paragraph 0079 (emphasis added).

Therefore, the center louver support member 82 may also be used with the corner members 24 as shown in Fig. 1 and throughout the specification.

Applicants did not intend to limit the use of the latch mechanism 44 only to the embodiment shown in Fig. 9. In fact, the embodiment shown in Fig. 9 is intended to be combined with other embodiments shown in the figures and described in the specification. Fig. 9 is merely a close up of a potential corner member 24 as found in Fig. 1 and the remainder of the specification. Figs. 15 and 16 also are described in relation to the frame 12 and corner members of Fig. 1. It would have been obvious to one of ordinary skill in the art at the time of the invention that

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Applicants intended the figures and specification to be interchangeable with various embodiments. This would allow for the use of the latch mechanism 44 with the center louver support member 82 as well as any other combination of novel elements. The language in the specification supports the use of the latching mechanism 44 and/or the center louver support member 82 with any embodiments of the invention.

The specification further provides the following language in Paragraph 0082: "Those skilled in the arts pertaining to the above-described shutter structures and methods understand that the preferred embodiments described above may be modified, without departing from the true scope and spirit of the description and claims, and that the particular embodiments shown in the drawings and described within this specification are for purposes of example and should not be construed to limit the claims below." This language indicates that Applicants intended for the drawings and specification to be illustrative and not limiting as suggested by the Examiner.

Applicants believe the Examiner is unjustifiably limiting the scope of the claimed invention by only allowing combinations of elements explicitly shown in individual figures. The specification clearly indicates that the latch mechanism 44, center louver support member 82 and other elements of the invention may be interchanged and used in various embodiments. While the drawings do not show every possible combination of novel elements of Applicants' invention, the specification makes clear that Applicants anticipated combining unique elements in various embodiments. Particularly, the specification points out that the latch mechanism 44 and the center louver support member 82 may be used in combination with common corner members 24.

Applicants respectfully request correction of the restriction requirement.

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A fee is being submitted in conjunction with this response. However, if any additional fees are due, please charge our Deposit Account No. 50-2228, under Order No. 021200.0101PTUS from which the undersigned is authorized to draw.

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